

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY C. JOHNSON,

Petitioner,

ORDER

- against -

21 Civ. 6612 (NRB)

17 Cr. 212 (NRB)

UNITED STATES OF AMERICA,

Respondent.

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NAOMI REICE BUCHWALD

UNITED STATES DISTRICT JUDGE

WHEREAS the Court has reviewed petitioner's motion to compel discovery (21 Civ. 6612, ECF No. 19) and motion to compel former defense counsel to surrender petitioner's criminal case file (17 Cr. 212, ECF No. 79); and

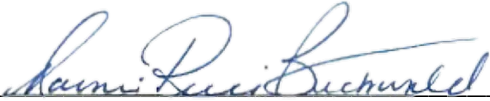
WHEREAS these two motions have been filed in connection with petitioner's pending habeas petition; and

WHEREAS under Rule 6(a) Governing 28 U.S.C. § 2255 Proceedings, a petitioner is not entitled to conduct discovery unless a judge in the exercise of discretion and for good cause shown grants leave to do so; and

WHEREAS the Court's preliminary review of the issues raised in petitioner's habeas petition and motions to compel indicates there is no good cause for discovery as the issues raised are resolvable without discovery; it is hereby

ORDERED that the applications for discovery are denied without prejudice.

Dated: New York, New York
May 11, 2022



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE